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Michael Houck, Paralegal

July 21, 2006

(Date Signed)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/607,313  
Applicant : Brad Baker  
Filed : June 28, 2000  
Title : PAINT SET CONFECTIONERY  
  
TC/A.U. : 1761  
Examiner : L. Tran  
Conf. No. : 6871  
Docket No. : 30687-US

DECLARATION OF INVENTOR UNDER 37 C.F.R. § 1.68 and 1.131

Commissioner for Patents  
United States Patent and Trademark Office  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Inventor Brad Baker declares as follows:

1. I am the sole inventor of the subject matter of the above-identified patent application.
2. My invention was conceived prior to June 23, 1998 ("Critical Date"), as evidenced by Exhibits A, B, C, D, E, and F attached hereto. Exhibit A is a copy of a price quote which was sent by Pacmold, to manufacture the molds for my confectionary paint brush invention prior to the Critical Date. Exhibits B – F are the drawing sketches which were relied on by Pacmold in making the price quote and

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were sent to and from Pacmold prior to the Critical Date. Exhibit G is a detailed drawing of the handle and brush portion of my invention which was created and bears a date prior to the Critical Date. Exhibit H is a detailed drawing of the paint can portion of my invention which was created and bears a date prior to the Critical Date.

3. I diligently proceeded to reduce my invention to practice, as evidenced by my provisional serial number 60/110,675, which was filed for the same invention on December 2, 1998 and sales of the final product which occurred shortly thereafter.

4. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

Date: 7-17-06

  
\_\_\_\_\_  
Brad Baker

G:\AMDS\Impact\313 - Decl. of Inventor.doc



**PACMOLD®** division of  
PACIFIC CAPITAL TRADING CORP.

QUOTATION

EXHIBIT

**A**

Quote No.

Mr. James Matheny  
IMPACT CONFECTIONS, INC.  
P.O. Box 5880  
Roswell, New Mexico 88201-5880

We are pleased to offer the following quotation:

REF: Lollipop Land's Project

SEE ATTACHED SPECIFICATIONS

	Price	Delivery
(1) Paint Brush Handle		
a. 2 cavity, P-20 steel mold.....	\$5,400	8 weeks
b. 4 cavity, P-20 steel mold.....	\$9,800	8 weeks
(2) Paint Brush Clamp		
a. 2 cavity, P-20 steel mold.....	\$7,500	9 weeks
b. 4 cavity, P-20 steel mold.....	\$11,800	9 weeks

NOTE: Delivery weeks are to first shot after design approval

TERMS:      F.O.B. West Coast Port  
                 50% Deposit to activate order  
                 25% Upon submission of first shot samples  
                 25% Upon approval of first article

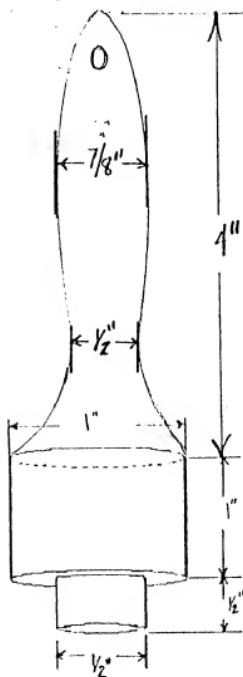
This quote is good for 30 days.

James F. Hernandez  
Program Manager

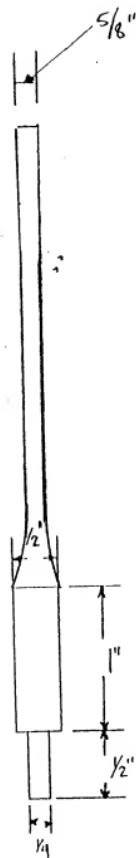
*This quotation is based on your providing a 2-D, fully dimensioned, part drawing or equivalent ".DWG", ".DXF", or ".IGS" electronic file. Price and delivery time will increase if only 3-D wire frame files are available.*

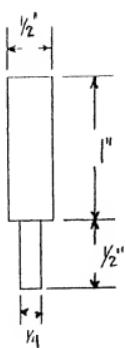


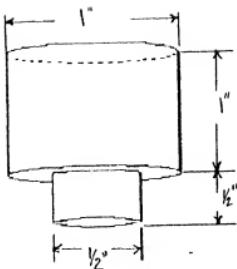
Rev 2

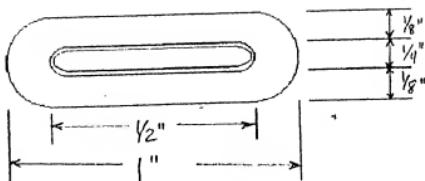


Rev 2



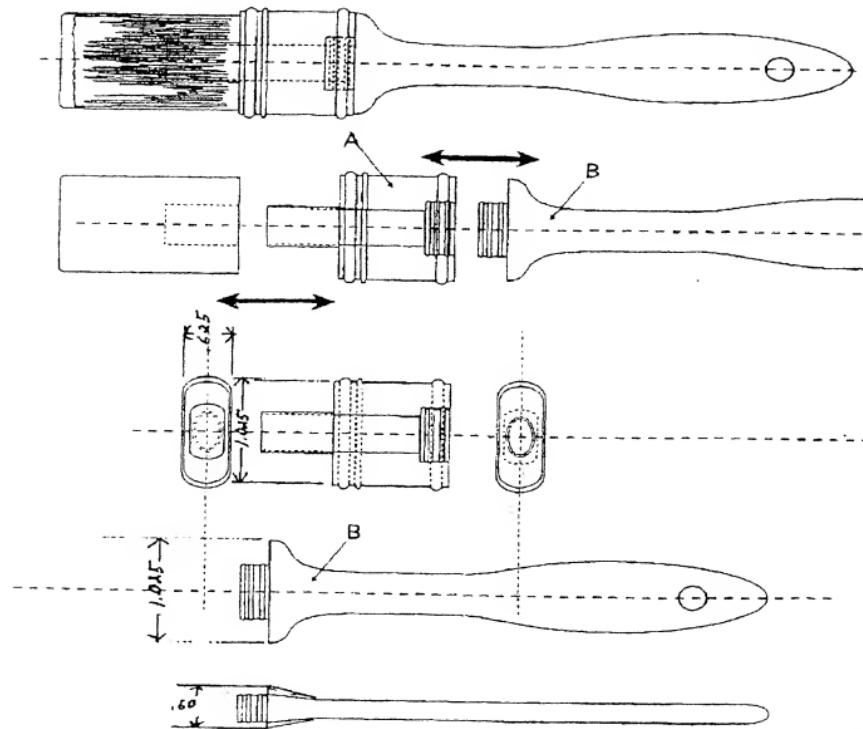








SCALE 1/1



SCALE 1/1

PAINT CAN + LID  
SCALE 1/1  
 $\varnothing 1,5/8" + 2\text{mm (thick.)}$   
 $= 43.275\text{mm}$   
 $H: 1,13/16" + 4\text{mm (thick.)}$   
 $= 50.0375\text{mm}$

